

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THU TRAN, Individually And
On Behalf of All Others Similarly Situated,

Plaintiff,

VS.

NETLIST, INC., CHUN K. HONG,
CHRISTOPHER LOPES, NAM KI HONG,
THOMAS F. LAGATTA, ALAN H. PORTNOY,
DAVID M. RICKEY, PRESTON ROMM,
THOMAS WEISEL PARTNERS LLC,
NEEDHAM & CO. LLC, WR HAMBRECHT +
CO. LLC,

Defendants

DOCKET NUMBER: 07-cv-3754

HON. RICHARD M. BERMAN

(Caption continued on the following page)

**NOTICE OF WITHDRAWAL OF THE MOTION OF THE TRAN GROUP FOR
APPOINTMENT AS LEAD PLAINTIFF**

RAGGA BENJAMIN, Individually And On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

NETLIST, INC., CHUN K. HONG,
CHRISTOPHER LOPES, JAYESH BHAKTA,
PAIK KI HONG, NAM KI HONG, THOMAS F.
LAGATTA, ALAN H. PORTNOY, DAVID M.
RICKEY, PRESTON ROMM, THOMAS
WEISEL PARTNERS LLC, NEEDHAM & CO.
LLC, WR HAMBRECHT + CO. LLC,

Defendants.

DOCKET NUMBER: 07-cv-5518

HON. RICHARD M. BERMAN

**NOTICE OF WITHDRAWAL OF THE MOTION OF THE TRAN GROUP FOR
APPOINTMENT AS LEAD PLAINTIFF**

On July 27, 2007, the Tran Group filed a motion for appointment as lead plaintiff in the above-referenced action. After reviewing the motion for appointment as lead plaintiff filed by the only competing movant, Iron Workers Local No. 25 Pension Fund, the Tran Group is of the opinion that it appears that Iron Workers Local No. 25 Pension Fund has a larger financial interest in the relief sought in this action than the Tran Group does.

The Tran Group has no reason to believe that Iron Workers Local No. 25 Pension Fund, with larger financial interests in the relief sought in this action than the Tran Group, is not adequate to represent the Class, and accordingly respectfully withdraws its lead plaintiff motion.

Dated: Aug 6, 2007

Respectfully submitted,

KAHN GAUTHIER SWICK, LLC

/s/ Kim E. Miller

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-and-

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Counsel for the Tran Group

CERTIFICATE OF SERVICE

I hereby certify that this Motion was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), and paper copies will be sent to those indicated as non-registered participants on August 6, 2007.

/s/ Kim E. Miller
Kim E. Miller